

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THRIVEST SPECIALTY FUNDING, LLC	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	No. 18-1877
v.	:	
WILLIAM E. WHITE,	:	
Defendant.	:	

ORDER

AND NOW, this ____10TH____ day of October, 2019, it is **ORDERED** that **on or before October 15, 2019**, Defendant William White must produce and submit to the Court proof of his inability to comply with the Court’s July 1, 2019 Order (ECF No. 25) confirming the Emergency Arbitrator’s Interim Award directing Mr. White to place a portion of disputed funds in escrow.¹

s/Anita B. Brody

ANITA B. BRODY, J.

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¹ The party raising a defense of inability to comply in a contempt proceeding has the burden of production. *United States v. Rylander*, 460 U.S. 752, 757 (1983). To satisfy that burden, the party asserting the defense must present “evidence beyond a mere assertion of inability.” *Harris v. City of Philadelphia*, 47 F.3d 1311, 1324 (3d Cir. 1995) (citations and internal quotation marks omitted).